REMARKS

Claims 1-62 are currently pending in the application. By this Amendment, claims 1, 11, 18, and 30-35 have been amended, without acquiescence or prejudice to pursue the original claims in a related application. No new matter has been added.

Claim Rejections - 35 USC § 103

Claims 18, 19, 20, 23, 24, 29, 34-36, 47, 48 and 50-54 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Marcy (US Patent: 6,662,342 B1), in view Upton, IV (US Patent 6,742,054 B1). Claims 1, 2, 3, 4, 8, 10-12, 14, 21, 30, 31-33, 37-38, 40, 42-43, 45, 56, and 60 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Marcy in view of Dreyband et al (US Patent Application: US 2001/0029604 A1) and Upton. Claims 15-17, 57, 58 and 61-62 remain rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Marcy, Upton, IV, and Dreyband et al in view of Wan (US Patent: 2003/0233618 A1). Claims 25-28 remain rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Marcy, Upton, IV, in view of Wan. Claims 5-7, 9, 13, 39, 41, 44, 46, 55 and 59 remain rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Marcy, Upton, IV, and Dreyband et al in view of JAXB (Sun Microsystems, pages 58, and 74, published: January 8, 2003).

Amended claim 18 recites the following limitations "storing the data in a database" and "wherein one or more datatypes in the data are designated as not eligible for a named access procedure" (Emphasis Added). Claims 1, 11, and 30-35 recite similar limitations. This feature is not taught or suggested by the cited references.

Marcy is directed to a method, system and program for providing access to objects in a document. The XML parser of Marcy is shown in Fig. 3 and performs a variety of functions to process the XML document and return the information on the document to the application program. All information about the document is returned to the application program 6. Using the logic of Fig. 3, the XML parser 8 provides the application program information on all tagged objects in the documents. The application program 6 can use this information to define the structure of the document... In other words, Marcy parses the whole document and proceeds to

tag all objects. Once the information is obtained then the application program can obtain information and content on any part of the document because the structure and location in the XML document of values for attributes are known. Marcy is silent with respect to designating one or more of the datatypes/elements in the XML data as not eligible for the named access procedure as claimed. Thus, Marcy does not disclose or suggest "one or more datatypes in the data are designated as not eligible for a named access procedure." Upton does not remedy the deficiencies present in Marcy.

Applicants respectfully submit that Upton does not disclose or suggest "one or more datatypes in the data are designated as not eligible for a named access procedure.

Upton is directed toward transforming input message data from a first application into an output message accepted by a second application (Upton, Abstract, Col. 6 lines 28-40). Upton discloses that an iterator steps through the array of the input message data and transforms the input message data into an output message (Upton, Figure 5). Upton is directed toward transforming an input message to an output message with the use of iterators (Upton, Abstract, Figure 5). Iterators are associated with sequences and are used to determine the processing of elements of a sequence (Upton, Column 12, lines 63-65). Field data (e.g. customer.address.city, the city field of an address container) is referenced based upon the current position of the relevant iterators (Upton, Column 27, line 50 - Column 28 line 17).

Applicants respectfully submit that Upton discloses an iterator to iterate and access all elements. Upton is directed toward the transforming of an input message and specifically relies on an iterator in the cited sections to iterate through and process the sequences of elements in an input message. Upton discloses that all elements are accessed. No datatypes or elements are designated as being not eligible as claimed. Thus, Upton does not disclose wherein one or more datatypes in the data are designated as not eligible for a named access procedure as claimed.

For at least the foregoing reasons, Applicants respectfully submit that claim 18 and its dependent claims are allowable over Marcy, Upton, and their combination.

3.   Claims 1, 11, and 30-35 recite similar limitations as claim 18. Therefore, these claims and their respective dependent claims are patentable over Marcy, Upton, the cited references, and their combination.

CONCLUSION

Based on the foregoing, all remaining claims are in condition for allowance, which is respectfully requested. If the Examiner has any questions or comments regarding this response, the Examiner is respectfully requested to contact the undersigned at the number listed below.

To the extent that any arguments and disclaimers were presented to distinguish prior art, or for other reasons substantially related to patentability, during the prosecution of any and all parent and related application(s)/patent(s), Applicant(s) hereby explicitly retracts and rescinds any and all such arguments and disclaimers, and respectfully requests that the Examiner re-visit the prior art that such arguments and disclaimers were made to avoid.

The Commissioner is authorized to charge Vista IP Law Group LLP Account No. **50-1105** for any fees required that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account No. **50-1105.**

Respectfully submitted,

Dated: <u>August 14, 2008</u>

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16